

Appl. No. 09/885,984

Reply to Office Action of October 9, 2003

REMARKS

This Amendment is to the Final Office Action dated October 9, 2003. Claims 6, 7, 11, 12 and 14 to 27 were pending previously in this application. Claims 6 and 11 are being amended herein. No new matter has been introduced by those amendments. It is believed that no fee is due in connection with this Amendment, however, please charge Deposit Account No. 02-1818 for any fees owed. Applicants respectfully request that all future correspondence with respect to this case be sent to Applicants' attorney at the address designated below.

In the Office Action, claims 6, 7, 11, 12, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 26 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,884,604 to Rice al. ("*Rice*"). Claims 18 and 25 were rejected under 35 U.S.C. §103(a) as being obvious in view of *Rice* and U.S. Patent No. 5,367,933 to Jaksha ("*Jaksha*"). Claims 20 and 27 were rejected under 35 U.S.C. §103(a) as being obvious in view of *Rice* and U.S. Patent No. 5,868,188 to Fukada ("*Fukada*").

Independent claims 6 and 11 have been clarified in this Amendment to recite that the hole pattern groups each have different hole center distances and that at least two groups of hole patterns have different radial hole center distances. Two hole patterns could have the same radial distance from a center point or hole and still be different, for example, one group could have four holes separated each by ninety degrees and another group could have three holes each separated by 120 degrees. The present claims are distinguished over such a situation by specifying that at least two groups have holes spaced at different radial distances from the center point or hole. Support for the current amendments is present at Figs. 13 and 14 and their associated disclosure.

There is a question in a first instance whether *Rice* teaches multiple different router hole patterns as asserted in the Office Action. *Rice* in its written disclosure does not discuss or suggest the ability or desirability of being able to mount different routers having different mounting footprints. The advantages of such ability as embodied in Applicants' invention are discussed in the previous Response to Office Action and such discussion is incorporated herein by reference.

A goal of *Rice* is to be able to move the workpiece support surface about both horizontal and vertical axes so as to accommodate any desired angle of contact between the workpiece and the cutting tool (see Abstract, last sentence). *Rice* does not appear to be concerned with accommodating different routers with different hole patterns. Figs. 1 and 3 of *Rice* show a table

Appl. No. 09/885,984

Reply to Office Action of October 9, 2003.

16 having no holes. The figures also show a pivotal mounting plate 24 with what appears to be six slots. None of those slots are numbered or described. One has to speculate to conclude what the purpose is for the holes and slots. *Rice* is not enabling therefore as a teaching. Generally, a reference that is not enabling is not a proper prior art reference for a §102(b) or anticipation type of rejection.

Even if one speculates and assumes that the slots of pivotal mounting plate 24 are provided for the purpose of mounting different routers with different mounting footprints, the reference still does not meet or anticipate the claims as presently presented. First, there appears to be two set of slots, not three as specified in Claim 6. One set could possibly be the four slots separated by ninety degrees, and the other set could possibly be the three slots separated by 120 degrees. The slot at twelve o'clock would be shared by both sets.

Moreover, the claims as presently presented specify that at least two sets of mounting holes are spaced apart radially differently. The sets of slots of mounting plate 24 each appear to be radially equidistant from working bit 32. Such an assertion is confirmed by the fact that if there are two sets of mounting slots, which again requires speculation, the slot at twelve o'clock would have to be shared, therefore setting the radial center distances for both footprints.

Claims 6 and 11 both specify the different radial distance feature. Accordingly, those claims as well as claim 7 and claims 12 and 14 to 27 that depend respectively claims 6 and 11 are each in condition for allowance. Further, the patentability of independent from claims 6 and 11 renders moot the obviousness rejections based on *Rice*, *Jaksha* and *Fukada*. Applicants also respectfully submit that given the extensive amount of searching has been done already based on the prosecution history of this case, and that the current amendments place the case in better condition for appeal, that the current amendments should be entered and examined.

Appl. No. 09/885,984

Reply to Office Action of October 9, 2003

For the foregoing reasons, Applicants respectfully submit that the above-identified patent application is now in a condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

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